

Before the
Federal Communications Commission
Washington, DC 20554

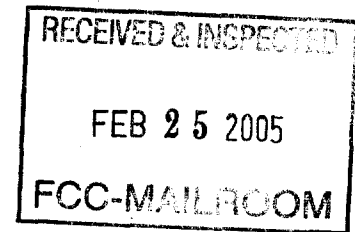
In the Matter of)

Request for Review of a Decision of the)
Universal Service Administrator by)

Beaver Dam Community Hospital)
Beaver Dam, Wisconsin)

Rural Health Care Universal Service Support)
Mechanism)

WC Docket No. 02-60



ORDER

Adopted: February 24, 2005

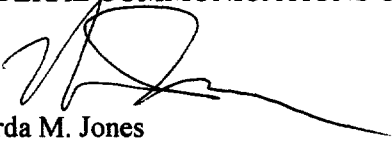
Released: February 24, 2005

By the Assistant Chief, Telecommunications Access Policy Division, Wireline Competition Bureau:

1. Beaver Dam Community Hospital (Beaver Dam), Beaver Dam, Wisconsin, seeks review of a decision by the Rural Health Care Division (RHCD) of the Universal Service Administrative Company (Administrator).¹ When Beaver Dam filed its request with the Commission, it also had a Request for Review of the same decision on file with RHCD.² The Commission's rules do not contemplate simultaneous appeals of RHCD's decisions to the Administrator and the Commission.³ We therefore dismiss without prejudice Beaver Dam's Request for Review to the Commission. Once the Administrator has issued its decision in this matter, Beaver Dam may then appeal to the Commission, if it believes such an appeal is warranted at that time.⁴

2. ACCORDINGLY, IT IS ORDERED THAT, pursuant to authority delegated under sections 0.91, 0.291, and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, and 54.722(a), the Request for Review filed by Beaver Dam Community Hospital, Beaver Dam, Wisconsin, on January 21, 2005, IS DISMISSED WITHOUT PREJUDICE.

FEDERAL COMMUNICATIONS COMMISSION


Narda M. Jones
Chief, Telecommunications Access Policy Division
Wireline Competition Bureau

¹ Letter from Sandra Tiedt, Beaver Dam Community Hospital, to the Federal Communications Commission, filed January 21, 2005 (Request for Review). Any person aggrieved by an action taken by a division of the Administrator may seek review from the Commission. 47 C.F.R. § 54.719(c).

² Request for Review.

³ 47 C.F.R. § 54.720 (providing that, when an applicant has an appeal pending with the Administrator, the period to file with the Commission is tolled until the Administrator's review is complete).

⁴ See 47 C.F.R. §§ 54.719-54.725 (setting forth rules pertaining to the Commission's review of decisions by the Administrator).